

**MINUTES OF THE
STATE WATER DEVELOPMENT COMMISSION**
Tuesday, July 12, 2016 – 3:03 p.m. – Room 30 House Building

Members Present:

Sen. Margaret Dayton, Senate Chair
Sen. David P. Hinkins
Sen. Jani Iwamoto
Sen. Scott K. Jenkins
Sen. Kevin T. Van Tassell
Rep. Joel K. Briscoe
Rep. Melvin R. Brown
Rep. Susan Duckworth
Rep. Gage Froerer
Rep. Don L. Ipson
Rep. Kay L. McIlff
Rep. Michael E. Noel
Mr. Evan Curtis
Mr. David Damschen
Mr. Phil Dean
Mr. Tage Flint
Mr. Jay Mark Humphrey
Ms. Voneene Jorgensen
Exec Dir. Alan Matheson

Mr. Joseph Paulick
Mr. Warren Peterson
Mr. Gene Shawcroft
Exec. Dir. Mike Styler
Mr. Ron Thompson

Members Absent:

Rep. Keith Grover, House Chair
Comm. LuAnn Adams
Mr. Dallin W. Jensen
Mr. Darrell H. Mensel
Mr. David Ure
Mr. Boyd Workman

Staff Present:

Mr. J Brian Allred, Policy Analyst
Ms. RuthAnne Frost, Associate General Counsel
Ms. Katie LeFevre, Legislative Assistant

Note: A list of others present, a copy of related materials, and an audio recording of the meeting can be found at www.le.utah.gov.

1. Commission Business

Chair Dayton called the meeting to order at 3:03 p.m. Rep. Grover, Mr. Jensen, and Mr. Mensel were excused from the meeting.

MOTION: Sen. Hinkins moved to approve the minutes of the June 14, 2016, meeting. The motion passed unanimously with Rep. Noel absent for the vote.

2. S.B. 251, "Water Infrastructure Funding Amendments," and S.B. 80, "Infrastructure Funding Amendments"

Sen. Stuart Adams presented "S.B. 251, Presentation." He discussed the review and oversight implemented by 2016 General Session S.B. 251, "Water Infrastructure Amendments" and 2016 General Session S.B. 80, "Infrastructure Funding Amendments."

Mr. Eric Millis, Director, Division of Water Resources, presented "SWDC-BWRe Consultation Prescribed by S.B. 251." He discussed the roles and responsibilities of the Division of Water Resources and the State Water Development Commission from S.B. 251, "Water Infrastructure Funding Amendments."

Sen. Adams and Mr. Millis responded to questions from the commission regarding conservation.

The committee heard public comment.

Ms. Lisa Rutheford, Ivans City resident, expressed her concerns regarding the lack of transparency and the Lake Powell Pipeline.

Mr. Nick Schou, Outreach Director, Utah Rivers Council, expressed his concerns regarding the water data being used to make decisions.

3. Farm Bureau Report – Waters of the United States, Water Rights Protection Act, and Protection of Utah Sovereign Water Rights

Mr. Randy Parker, CEO, Utah Farm Bureau Federation, distributed "Livestock Grazing Rights Act" and presented "Farm Bureau Presentation." He discussed the bureau's current efforts regarding the definition of Waters of the United States, the Water Rights Protection Act, as well as Utah livestock water rights and state sovereignty.

Ms. Tammy Pearson, Commissioner, Beaver County, explained her experience running cattle and conflicts with the Bureau of Land Management's land permits and water rights.

Mr. Kent Jones, State Engineer, Division of Water Rights, explained the limitations on his authority in water dispute claims.

Chair Dayton assigned Rep. Noel, Mr. Peterson, Mr. Thompson, and Mr. Parker to work with Mr. Jones in a work group to study and propose legislation that empowers state agencies to manage water issues like those discussed by Mr. Parker. Chair Dayton assigned Rep. Noel as the work group chair.

4. S.B. 75, "Water Rights Adjudication Amendments"

Mr. John Mabey, Member, Executive Water Task Force, distributed "Simple Summary of General Adjudications." He explained what general adjudications are, the purpose of adjudications, when adjudications occur, and how adjudications are conducted.

Mr. Blake Bingham, Adjudication Program Manager, Division of Water Rights, discussed the implication of 2016 General Session S.B. 75, "Water Rights Adjudication Amendments." He explained changes the Division of Water Rights has implemented to improve the adjudication process.

Mr. Ben Jensen, Assistant Attorney General, Office of the Attorney General, informed the committee that S.B. 75, "Water Rights Adjudication Amendments" changed the notification process regarding a water right. He explained that notice is now sent to a claimant or potential claimant of a water right.

5. Other Items/Adjourn

MOTION: Sen. Jenkins moved to adjourn the meeting. The motion passed unanimously with Rep. Froerer and Rep. McIff absent for the vote.

Chair Dayton adjourned the meeting at 5:01 p.m.